

App No 33111

ALCOHOLIC BEVERAGE CONTROL
VOLUNTARY AGREEMENT

Advisory Neighborhood Commission 2F and Bob Ebel, Protestants, enter into the following voluntary agreement with Christine Smith, t/a Quenchers, and upon acceptance of this agreement by the Alcoholic Beverage Control (ABC) Board, withdraw their objections to the issuance of Alcoholic Beverage Control license (B license/Application Number 33111) for Christine E. Smith, trading as Quenchers at 1404 P Street, NW, Washington, DC. Christine E. Smith understands and acknowledges that, pursuant to the terms of this agreement, Protestants ANC 2F or Bob Ebel, ~~or any resident of the District of Columbia~~, may immediately proceed before the ABC Board to have Christine E. Smith held in violation of the terms and conditions of the license and to seek appropriate remedies, including license revocation.

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M.H.
10-13-99

Christine E. Smith t/a Quenchers, as a condition of maintaining her ABC Class B license, agrees to:

- 1) Maintain peace and order within the establishment and the immediate environs of Quenchers. "Immediate Environs" is defined in Section 720.2 of the ABC regulations as including: "all property on which the premises is located; all property used by the licensee to conduct its business, whether part of the premises or not, including parking lots; and the portion of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to property used by the licensee to conduct its business."
- 2) Promptly take whatever necessary legal actions to eliminate vehicles parked illegally immediately adjacent to the premises. This includes, but is not limited to, calling the Metropolitan Police and/or Bureau of Parking Enforcement. This also includes posting clearly visible "No Parking" signs if necessary.
- 3) Keep the sidewalks immediately adjacent to the premises and the treeboxes located in those sidewalks, free of litter and debris.
- 4) Keep the sidewalks immediately adjacent to the premises clean, and the treeboxes maintained.
- 5) Not allow the installation of any coin operated telephones outside of the establishment, and no more than one within the establishment. If a coin operated telephone is installed, it shall be located in the rear of the establishment.

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6) Make provisions to maintain clean, sturdy trash dumpsters secured behind the establishment. No trash shall be stored on the P Street side of the establishment.

7) Ensure that trash hauling service is provided as often as needed, but not less than three times a week.

8) Ensure that no trash hauling service is provided earlier than 7 AM and no later than 5 PM.

9) Take reasonable measures to restrict the sale of any alcoholic beverages to anyone who appears to be intoxicated or to any person of notoriously intemperate habits.

10) Not sell alcoholic beverages to any person or persons under the age of 21.

11) Take all precautions to avoid the sale or delivery of alcoholic beverages to anyone accompanying a person who has been or would be denied services, or who is otherwise ineligible to purchase or consume alcohol, if there is an apparent attempt to deliver the alcoholic beverage to that person.

12) Ensure that alcoholic beverage signage not exceed 25% of the total window area of Quenchers.

13) Not provide "go-cups" to customers. A "go-cup" is defined in section 709.7 as a "drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages."

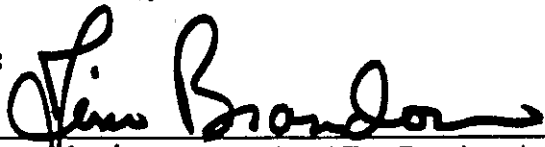
14) Not sell individual bottles of beer less than 22 ounces in size nor sell individual cans of beer.

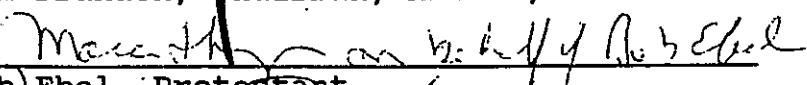
15) Take all legal steps to ensure that beer cans and bottles, and all other merchandise packaging materials, not be improperly discarded on or near the premises.

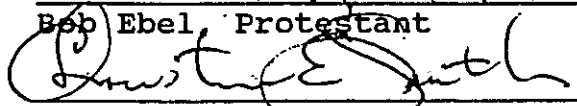
16) Maintain a complete set of the District of Columbia's Alcoholic Beverage Control Regulations on site, and ensure that all employees of the establishment read, review, and understand the regulations.

Dated:

Signatures:


Jim Brandon, Chairman, ANC 2F, Protestant


Bob Ebel, Protestant


Christine E. Smith, Licensee

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

Christine E. Smith
t/a Quenchers
Application for a Retailer's
License Class "B" - new
at premises
1404 P Street, N.W.
Washington, D.C.

Case No. 33111-94086P

Jim Brandon, Chair, on behalf of Advisory Neighborhood Commission 2E,
Protestant

Bob Ebel, Protestant

Christine E. Smith, Applicant

BEFORE: MARY EVA CANDON, ESQUIRE, Chairperson
JAMES C. JEFFERSON, Member
JAMES L. O'DEA, III, ESQUIRE, Member
BARBARA L. SMITH, ESQUIRE, Member

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on July 13, 1994, in accordance with D.C. Code Section 25-115 (c)(5)(1992 Supp.), providing for remonstrants to be heard. Jim Brandon, Chair, on behalf of Advisory Neighborhood Commission 2E, filed timely opposition by a letter dated June 6, 1994 and by a petition dated June 8, 1994.

The official records of the Board reflect that parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board.^{1/} Pursuant to the Agreement, the Protestant has agreed to withdraw her protest provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Accordingly, it is this 16th day of November 1994,
ORDERED that:

1/ See Agreement dated November 11, 1994.

Christine E. Smith
t/a Quenchers
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1. The protests of Jim Brandon, Chair, on behalf of Advisory Neighborhood Commission 2E, and Bob Ebel, be, and the same hereby, are **WITHDRAWN**;

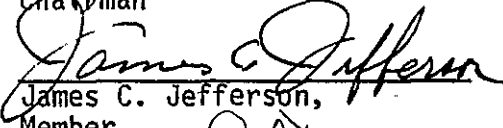
2. The above-referenced Agreement between the parties be, and the same hereby, is **INCORPORATED** as part of this Order;

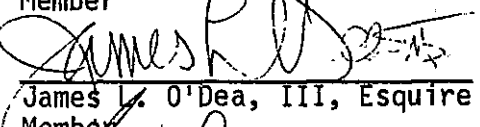
3. The application of Christine E. Smith t/a Quenchers for a retailer's license class B - new at premises 1404 P Street, N.W., be, and the same hereby, is **GRANTED**;

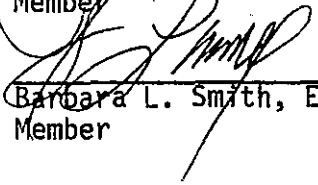
4. Copies of this Order shall be sent to the Protestants and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD


Mary Eva Candon, Esquire
Chairman


James C. Jefferson,
Member


James L. O'Dea, III, Esquire
Member


Barbara L. Smith, Esquire
Member